

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CARLOS BERNARDEZ,

Petitioner,

v.

RON FRAKER,

Respondent.

CASE NO. C12-1557-JCC

**ORDER DENYING 28 U.S.C. § 2254  
HABEAS PETITION AND  
CERTIFICATE OF  
APPEALABILITY**

The Court, having reviewed petitioner's 28 U.S.C. § 2254 petition for writ of habeas corpus, the Report and Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge, petitioner's objections to the recommendation, and the remaining record, does hereby find petitioner's objections to be without merit because they reiterate claims thoroughly addressed in the Report and Recommendation. The Court hereby **ORDERS**:

1. The Report and Recommendation is **ADOPTED**;
2. Petitioner's habeas petition is **DENIED** and this matter is **DISMISSED** with prejudice;
3. Petitioner is **DENIED** issuance of a certificate of appealability; and
4. The Clerk shall send a copy of this Order to the parties and to Judge Tsuchida.

1 DATED this 3rd day of July 2013.

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8 John C. Coughenour  
9 UNITED STATES DISTRICT JUDGE  
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